

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRANDON SMITANA, SKYCOIN  
GLOBAL FOUNDATION LIMITED, a  
Singapore company, and SYMBOLIC  
ANALYTICS INC., a Delaware corporation,

Plaintiffs,

v.

BRADFORD STEPHENS, AARON KUNSTMAN,  
JOEL WAYNE CUTHRIELL, MORGEN PECK,  
CATHERINE BYERLY, ADVANCE MAGAZINE  
PUBLISHERS INC. d/b/a THE NEW YORKER,  
and UNKNOWN INDIVIDUALS and  
COMPANIES,

Defendants.

Civil Action No. 24-cv-08617

Honorable John Robert Blakey

**DECLARATION OF NIMAL EAMES-SCOTT**

I, Nimal Eames-Scott, declare as follows:

1. I am over the age of eighteen and have personal knowledge of the matters stated below, and if called to testify, I could and would competently testify to these facts.
2. I am submitting this declaration on behalf of Advance Magazine Publishers Inc. d/b/a The New Yorker ("The New Yorker"), which is the publisher of *The New Yorker* magazine.
3. I am a Senior Editor for *The New Yorker* magazine, where I have worked since August 2015. I have been a Senior Editor at the magazine since October 2020.
4. I was the editor on *Pumpers, Dumpers, and Shills: the Skycoin Saga*, which was written by freelance reporter Morgan Peck and published exclusively online at *The New Yorker's* website on August 18, 2021 (the "Article"). It is available at

<https://www.newyorker.com/tech/annals-of-technology/pumpers-dumpers-and-shills-the-skycoin-saga>. A true and correct copy is attached hereto as **Exhibit A**.

5. At the time the Article was being drafted and written, no one at The New Yorker believed that Brandon Smietana, Skycoin Global Foundation Limited, or Symbolic Analytics Inc. were domiciled in Illinois. Skycoin is a Singapore company, Symbolic Analytics is incorporated in Delaware, and Mr. Smietana was interviewed by Ms. Peck in New York City as the Article recounts.

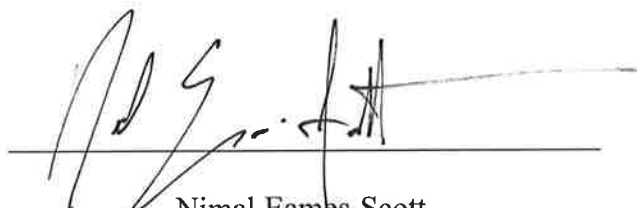
6. While Ms. Peck did travel from time to time in reporting the Article, she was based in New York when she reported and wrote the Article while in New York City and did additional writing in New Jersey. No part of the Article was written in Illinois.

7. I edited the Article predominantly in New York City, but also edited the Article while traveling in California and Alaska. No part of the Article was edited in Illinois.

8. The Article was fact-checked by Anna Boots in New York City.

9. The Article was published online in New York City. The New Yorker's website is centered in and maintained in New York City.

This declaration was executed on this 21<sup>st</sup> day of October, 2024, in New York, NY. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Nimal Eames-Scott